

REMARKS/ARGUMENTS

Claims 1-36 are pending and presented for examination. The Examiner has withdrawn claims 8-11, 17, 19, 20, 24 and 28-36 under 37 CFR 1.142(b) as being drawn to non-elected inventions. Claims 32 and 34-36 have been canceled and claims 25 and 26 have been amended. In claims 25 and 26 the references to Figures 5A and 5B have been replaced with the corresponding formula. The structure designated as compound F in Figure 5A has been corrected by adding the designation "N" in the side chain of the C-terminal amino acid. This correction is an obvious typographical error noting that both the formula shown in the main claim as well as all exemplary compounds of the invention exhibit a guanidinium group at this position. Applicants believe no new matter is present in this or any other portion of the present amendment. With regard to the assertion that the Figures are blurry, enclosed as Appendix 1 are clear copies of these previously submitted figures with the correction noted above. Reconsideration of the application is respectfully requested in view of the following remarks.

Obviousness-type Double Patenting rejection

Claims 1-7, 12-16, 18, 21-23 and 25-27 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3 and 4 of U.S. Patent No. 6,797,504.

In response to the obviousness-type double patenting rejections over U.S. Patent Nos. 6,797,504, Applicants respectfully request that the rejection under the judicially-created doctrine of obviousness-type double patenting be held in abeyance until subject matter is otherwise found allowable. Should this rejection still be set forth at that time, Applicants intend to file a suitable terminal disclaimer.

Appl. No. 10/092,004
Amdt. dated October 3, 2005
Reply to Office Action of June 3, 2005

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 5A. This sheet, which includes Fig. 5A replaces the original sheet including Fig. 5A.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

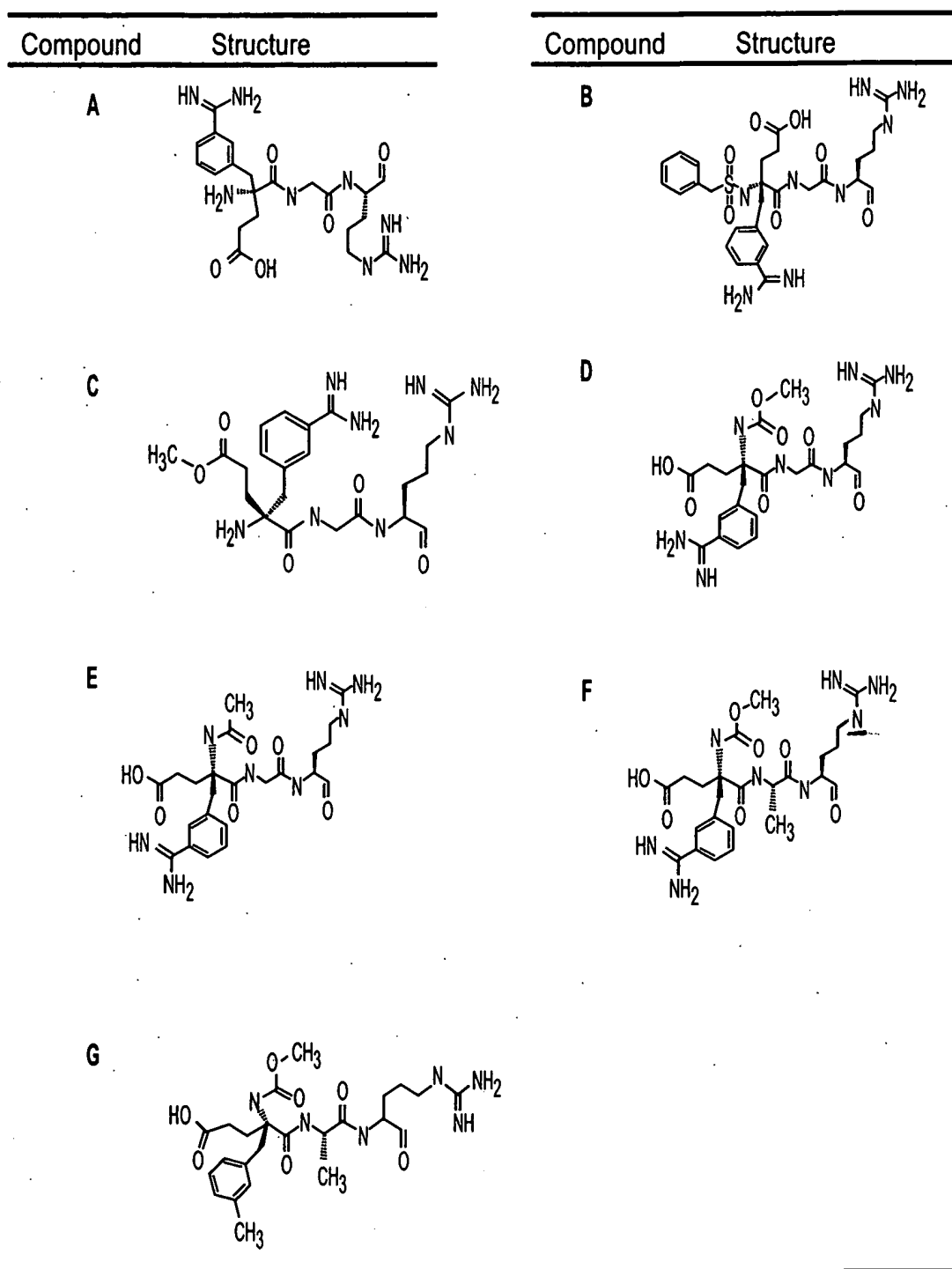


FIG. 5A